

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JERRY LYNN WELTY,**

**Plaintiff,**

**v.**

**CAROLYN W. COLVIN,  
ACTING COMMISSIONER  
OF SOCIAL SECURITY,**

**Defendant.**

**Case No. 2:12-cv-776**

**JUDGE GREGORY L. FROST  
Magistrate Judge Mark R. Abel**

**ORDER**

This matter is before the Court for consideration of the Magistrate Judge's June 11, 2013 Report and Recommendation. (ECF No. 17.) In that filing, the Magistrate Judge concluded that the administrative law judge failed to apply the requisite analysis and failed to consider expressly all of the evidence (e.g., ignored test results and treatment) supporting the opinion of Plaintiff's primary care physician, Dr. Robert Santiago, which the administrative law judge had rejected. The Magistrate Judge recommended that the Court remand this matter so that the administrative law judge could conduct a proper analysis under the applicable legal criteria. The Report and Recommendation advised the parties that the failure to object within fourteen days would result in "a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (ECF No. 17, at Page ID # 811-12.)

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation (ECF No. 17) and **REMANDS** this matter for proper evaluation of

the medical opinions of Dr. Santiago. The Clerk shall enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE